

R E M A R K S

A new drawing figure (Fig. 29A) has been added, to show the subject matter set forth in claims 40 and 42, as required by the Examiner. For convenience, this new figure has been placed on the same sheet as original Fig. 31; a Replacement Sheet (so labelled) containing both Fig. 29A and Fig. 31 is accordingly submitted herewith.

The showing of new Fig. 29A is supported by disclosure in the specification as originally filed, at p. 44, lines 17-18, as further explained below. Therefore, the addition of Fig. 29A does not introduce new matter.

It is submitted that the objection to the drawings is thereby overcome.

The specification has been amended to provide (at p. 13) a brief description of new Fig. 29A, and to clarify the disclosure at p. 44, lines 16-18, in response to the Examiner's objection. It is believed that the first sentence of the passage in question, though containing an error in wording, is adequately clear in stating that "as shown in Fig. 29, plural numbers of convex portions 3a and 4a are formed at predetermined intervals in a lengthwise," because Fig. 29 (a part of the application as originally filed) shows convex portions 4a spaced apart at intervals lengthwise of the metal pipe. The wording of this sentence has been corrected by the present Amendment to conform to the drawings.

As to the second sentence (at p. 44, lines 17-18), "a line convex portion extending lengthwise is formed on the side wall 3 and 4," it is submitted that this provides a clear and unambiguous description of the structural feature now shown in new Fig. 29A, fully and expressly supporting the latter figure. The word "However" at line 17 was plainly intended to introduce an alternative to the embodiment of Fig. 29 (described in the preceding sentence), since it is apparent from a consideration of Fig. 29 that "plural numbers of convex portions" are

illustrated therein, and "a line convex portion extending lengthwise" is not. Amendments herein made to the sentence at p. 44, lines 17-18, are intended to improve the wording, and to identify the reference numerals in Fig. 29A that indicate the features described in the sentence, without introducing new matter.

Applicants further submit that the disclosure of their application as originally filed, in particular at p. 44, lines 17-18, discussed above, is properly enabling with respect to the subject matter of claims 40 and 42. The description in that sentence - "a line convex portion extending lengthwise" - would surely be clear to persons skilled in the art, to whom the disclosure is addressed; they would recognize it as an embodiment alternative to that described in the preceding sentence and shown in Fig. 29. "Plural numbers of convex portions . . . formed at predetermined intervals in a lengthwise," as a description of the showing of Fig. 29, gives meaning to the terms "convex portion" and "lengthwise." The "convex portion" is formed and is convex with respect to the side wall of the pipe, in the case shown in Fig. 29; "lengthwise" means "along the length of the pipe," since Fig. 29 shows convex portions spaced at intervals along the length of the pipe. The term "a line convex portion" plainly means one continuous linear convex portion (as opposed to spaced convex portions) formed in and extending along the pipe side wall. Shape, position and orientation of the "line convex portion" are thus prescribed by the original disclosure, and the manner of making such a structural feature would assuredly be within the skill of the art from the disclosure of how to make the non-continuous, non-linear but nevertheless convex portions of original Fig. 29. Moreover, how to use the pipe having a line convex portion is self-evident from the disclosure of use of the Fig. 29 pipe since the context of the disclosure makes clear that the spaced-at-intervals convex portions of Fig. 29,

and the "line convex portion," are alternatives performing a like function in a metal pipe as described.

Applicants therefore further submit that claims 30 and 42 are properly supported by enabling disclosure, satisfying the requirement of 35 U.S.C. §112, first paragraph.

In numbered paragraphs 6 and 7 on p. 4 of the Office Action, mention is made of rejections of claims 40 and 42 under §112, second paragraph. The only stated rejection of these claims however, is based on the first paragraph of §112. Consequently, it is not seen to be necessary to rewrite either claim.

All the other claims (35 - 39 and 41) being allowable, it is believed that this application is now in condition for allowance. Favorable action thereon is accordingly courteously requested.

Respectfully,

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I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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Christopher C. Dunham, Reg. No. 22,031
Date JUNE 20, 2005

DRAWING AMENDMENTS

Please replace the drawing sheet containing Fig. 31 with the REPLACEMENT SHEET (hereto attached) containing Fig. 31 and Fig. 29A. The only change made in this REPLACEMENT SHEET is the addition of new Fig. 29A showing the subject matter recited in claims 40 and 42, as required by the Examiner.